

## ARNOLD &amp; PORTER LLP

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JUN 10 2008

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ADMINISTRATION202.942.5000  
202.942.5999 Fax555 Twelfth Street, NW  
Washington, DC 20004-1206**Fax Transmittal**

June 10, 2008

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Sandra Tartisel	202.942.6498	325M	
CLIENT/MATTER NUMBER	TIMEKEEPER NUMBER	NUMBER OF PAGE(S)	
18724.009	8773	We are transmitting 10 page(s) (including this cover sheet)	
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**MESSAGE**

Please find attached a copy of a Request for Corrected Filing Receipt filed at the USPTO on September 15, 2006. This paper has not been responded to by the USPTO. Please immediately process this paper and issue a corrected filing receipt. Thank you.

**PRIVILEGED AND CONFIDENTIAL**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernd Karl Friedrich KREMER *et al.*

Appln. No.: 10/563,956

Filed: January 10, 2006

For: Autologus Self-Tolerance  
Inducing Cells of Monocytic  
Origin and Their Use in  
Pharmaceutical Preparations

Art Unit: 1644

Examiner: Amy E. Juedes

Confirmation No.: 3600

Atty. Docket: 18724.009

**Request for Corrected Filing Receipt**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: Office of Initial Patent Examination**

Sir:

Attached is a copy of a Filing Receipt for the above-referenced application for which issuance of a corrected filing receipt is respectfully requested. There is an error with respect to the following data:

Please make the following correction to the section entitled "Domestic Priority Data as Claimed by Applicant", which is marked in red on the attached copy of the corrected filing receipt:

please add U.S. Application No. 10/520,931 filed January 12, 2005.

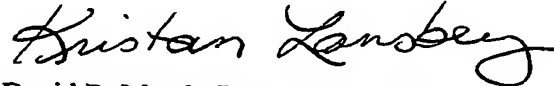
In support of this correction, Applicants submit herewith a copy of the Declaration submitted in this application.

U.S. Application No. 10/563,956

Page 2

Applicants believe that no fee is due. However, if any fees are required in the present application, authorization to charge such fees is given in the accompanying transmittal letter.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

Kristan L. Lansbery (Reg No. 53,183)

Date: September 15, 2006

ARNOLD & PORTER LLP  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206  
(202) 942-5000 telephone  
(202) 942-5999 facsimile

TFW

## ARNOLD &amp; PORTER LLP



September 15, 2006

Kristan L. Lansbery, Ph.D.  
Kristan.Lansbery@aporter.com202.942.5186  
202.942.5999 Fax555 Twelfth Street, NW  
Washington, DC 20004-1206Mail Stop OIPE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Application No. 10/563,956  
Filed: January 10, 2006  
Title: Autologous Self-Tolerance Inducing Cells of Monocytic  
Origin and Their Use in Pharmaceutical Preparations  
Applicants: Bernd Karl Friedrich KREMER *et al.*  
Atty. Docket: 18724.009

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office (PTO):

1. a Request for Corrected Filing Receipt;
2. a marked-up copy of an Official Filing Receipt; and
3. a copy of a Substitute Combined Declaration and Power of Attorney for Patent Application.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387 referencing matter number 18724.009.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)  
Kristan L. Lansbery (Reg. No. 53,183)

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 3

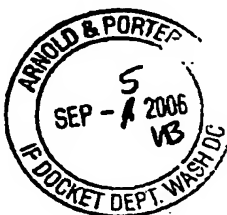
18724.009

KLL

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/563,956	01/10/2006	1644	2900	18724.009	12	40	8

28381  
 ARNOLD & PORTER LLP  
 ATTN: IP DOCKETING DEPT.  
 555 TWELFTH STREET, N.W.  
 WASHINGTON, DC 20004-1206



CONFIRMATION NO. 3600

CORRECTED FILING RECEIPT

\*OC000000020231613\*

Date Mailed: 08/29/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Bernd Karl Friedrich Kremer, Kiel, GERMANY;  
 Fred Fandrich, Kiel, GERMANY;  
 Maren Schulze, Kiel, GERMANY;

**Power of Attorney:** The patent practitioners associated with Customer Number 28381.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP04/00109 01/09/2004

**Foreign Applications**

EUROPEAN PATENT OFFICE (EPO) PCT/EP03/07551 07/11/2003  
 GERMANY 102 31655.4 07/12/2002

If Required, Foreign Filing License Granted: 05/15/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/563,956**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Autologous self-tolerance inducing cells of monocytic origin and their use in pharmaceutical preparations

**Preliminary Class**

424

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result in a grant of "an international patent"** and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



70255

# Substitute Combined Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

Docket Number: 18724.009

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Autologous Self-Tolerance Inducing Cells of Monocytic Origin and Their Use in Pharmaceutical Preparations**, the specification of which is attached hereto unless the following box is checked:

☒ was filed January 10, 2006;  
as United States Application Number 10/563,956; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

102 31655.4  
(Application No.)

Germany  
(Country)

12 July 2002  
(Day/Month/Year Filed)

☒ Yes ☐ No

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)



Application No. To Be Assigned  
Atty. Docket No. 18724.009

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/EP04/00109  
(Application No.)

9 January 2004  
(Filing Date)

Published  
(Status)

PCT/EP03/07551  
(Application No.)

11 July 2003  
(Filing Date)

Published  
(Status)

10/520.931  
(Application No.)

12 January 2005  
(Filing Date)

Pending  
(Status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

practitioners at Arnold & Porter LLP associated with Customer No. **28381**

Send Correspondence to:

Arnold & Porter LLP, Customer No.

**28381**

Application No. To Be Assigned  
Atty. Docket No. 18724.009

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:	Bernd Karl Friedrich KREMER
Inventor's signature	<i>[Signature]</i> Date <i>20.4.06</i>
Residence	Kiel, Germany
Citizenship	Germany
Post Office Address	Langenessweg 17, 24107 Kiel, Germany
Full name of second inventor:	Fred FÄNDRICH
Inventor's signature	<i>[Signature]</i> Date <i>18 APRIL 2006</i>
Residence	Kiel, Germany
Citizenship	Germany
Post Office Address	Esmarchstrasse 58, 24105 Kiel, Germany
Full name of third inventor:	Maren SCHULZE
Inventor's signature	<i>[Signature]</i> Date <i>20.4.06</i>
Residence	Kiel, Germany
Citizenship	Germany
Post Office Address	Blücher St. 6, 24105 Kiel, Germany

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	5599
RECIPIENT ADDRESS	202 942 5303
DESTINATION ID	
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TIME USE	03'27
PGS.	10
RESULT	OK